UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

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Plaintiff, v.		Case No. 16-13055
COMMISSIONER OF SOCIAL SECURITY,		HON. TERRENCE G. BERG HON. R. STEVEN WHALEN
Defendant.	1	

ORDER ADOPTING REPORT AND RECOMMENDATION (DKT. 23)

This matter is before the Court on Magistrate Judge R. Steven Whalen's August 23, 2017 Report and Recommendation (Dkt. 23), recommending that Defendant's Motion for Summary Judgment (Dkt. 21), be **GRANTED**, and that Plaintiff's Motion for Summary Judgment (Dkt. 19) be **DENIED**.

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of a report and recommendation.

28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report . . . to which objection is made." Id. Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. See Thomas v. Arn, 474 U.S. 140, 149-52 (1985). The Court will therefore accept the Magistrate's Report and Recommendation of August 23, 2017 as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Whalen's Report and Recommendation of August 23, 2017 is **ACCEPTED** and **ADOPTED**.

SO ORDERED.

Dated: September 27, 2017 <u>s/Terrence G. Berg</u>
TERRENCE G. BERG

UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically submitted on September $27,\,2017$, using the CM/ECF system, which will send notification to all parties.

s/A. Chubb Case Manager